

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SULLIVAN, S.

USDS SDNY
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DOC #:
DATE FILED: 6/9/08

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INNA GUDAVADZE, LIANA ZHMOTOVA and
IYA PATARKATSISHVILI,

Plaintiffs,

v.

JOSEPH KAY (A/K/A JOSEPH
KAKALASHVILI, A/K/A JOSEPH KEJ, A/K/A
ISOBEB KAKALASHVILI, A/K/A IOSEB
KAKIASHVILI), and EMANUEL ZELTSER,

Defendants.

-----X
08-CV-03363 (RJS)

STIPULATION AND ORDER

WHEREAS, Plaintiffs filed their Complaint in this action on April 4, 2008;

WHEREAS, Defendant Joseph Kay's deadline to answer, move or otherwise respond to the Complaint is June 11, 2008;

WHEREAS, Plaintiffs plan to file an Amended Complaint pursuant to Federal Rule of Civil Procedure 15; and

WHEREAS, through a letter from his counsel to the Court dated May 29, Defendant Joseph Kay has indicated his intent to file a motion to dismiss the original Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED, by and between the Plaintiffs and Defendant Kay, by their respective counsel, as follows:

(1) Defendant Kay's time to answer, move or otherwise respond to the original Complaint is hereby stayed, pending filing of Plaintiffs' Amended Complaint;

(2) Plaintiffs shall file an Amended Complaint by June 20, 2008;

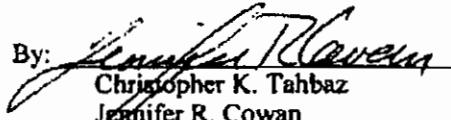
(3) Defendant Kay shall answer, move or otherwise respond to the Amended Complaint on or before July 21, 2008;

(4) This stipulation, its entry by "so ordering" and the consent thereto, and its terms and provisions shall not waive or compromise, or be deemed to waive or compromise, any rights, defenses, objections or arguments that Defendant Kay may have in this action, including but not limited to jurisdiction, service of process and venue, or in any other proceeding, all of which are expressly preserved; and

(5) Plaintiffs and Defendant Kay each consent to the "so ordering" of this stipulation by the Court.

Dated: New York, New York
June 4, 2008

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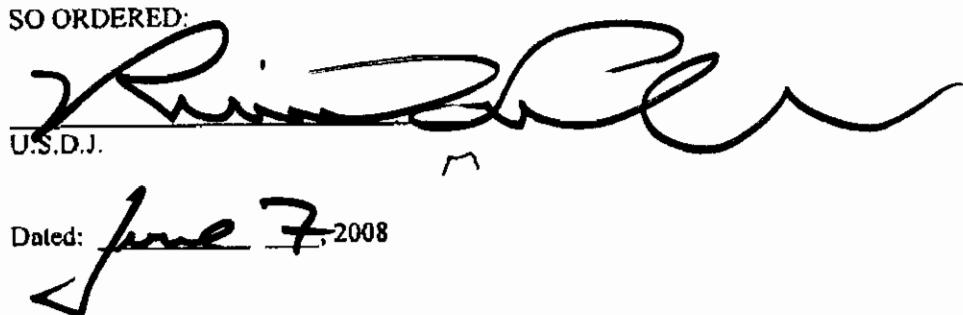
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Attorneys for Defendant Joseph Kay

SO ORDERED:


U.S.D.J.

Dated: June 7, 2008